LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Members present:

Mr PS Russo MP (Chair)
Mr JP Lister MP (via teleconference)
Mr SSJ Andrew MP (via teleconference)
Mrs MF McMahon MP (via teleconference)
Ms CP McMillan MP
Mrs LJ Gerber MP (via teleconference)

Staff present:

Ms R Easten (Committee Secretary)
Ms M Salisbury (Inquiry Secretary)

PUBLIC BRIEFING—INQUIRY INTO THE CHILD PROTECTION AND OTHER LEGISLATION AMENDMENT BILL 2020

TRANSCRIPT OF PROCEEDINGS

MONDAY, 27 JULY 2020

Brisbane

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The committee met at 11.07 am.

CHAIR: Good morning. I acknowledge the traditional owners of the land on which we gather today and pay my respects to elders past, present and emerging. I declare open this public briefing for the committee's inquiry into the Child Protection and Other Legislation Amendment Bill 2020. My name is Peter Russo. I am the member of Toohey and chair of the committee. Joining us today via teleconference are James Lister, the member for Southern Downs and deputy chair; Stephen Andrew, the member for Mirani; Laura Gerber, the member for Currumbin; Chris Whiting, the member for Bancroft, who is a substitute member for Melissa McMahon, the member for Macalister; and Corrine McMillan, the member for Mansfield.

On 14 July 2020 the Hon. Di Farmer, the Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence, introduced the Child Protection and Other Legislation Amendment Bill 2020 into the Legislative Assembly. The parliament has referred the bill to the committee for examination, with a reporting date of 28 August 2020. The purpose of the briefing today is to assist the committee with its examination of the bill.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. The proceedings are being recorded by Hansard and broadcast live on the parliament's website. Only the committee and invited officers may participate in the proceedings. As these are parliamentary proceedings, any person may be excluded from the briefing at my discretion or by order of the committee. I ask everyone present to turn mobile phones off or to silent mode to avoid disrupting the broadcast. I now welcome representatives from the Department of Child Safety, Youth and Women.

CONNORS, Ms Kate, Deputy Director-General, Strategy, Department of Child Safety, Youth and Women

GILES, Ms Megan, Executive Director, Strategic Policy and Legislation, Department of Child Safety, Youth and Women

MULKERIN, Ms Deidre, Director-General, Department of Child Safety, Youth and Women

CHAIR: Good morning. Ms Mulkerin, would you like to make an opening statement?

Ms Mulkerin: Thank you. I would like to begin by acknowledging the traditional owners of the land on which we meet today and pay my respects to elders past, present and emerging.

We would like to thank the committee for the opportunity to brief you on the Child Protection and Other Legislation Amendment Bill 2020. The bill proposes two amendments to the Child Protection Act 1999. The first amendment is to the principles for achieving permanency for children under section 5BA. The second is to insert a new section to require the chief executive to review the case plan for a child who is subject to a child protection order granting guardianship to the chief executive two years after the order was made to consider whether permanency for the child would be best served by an alternative arrangement. These amendments to the Child Protection Act respond directly to recommendation 6(b) of the findings of the inquest into the death of Mason Jett Lee, released by the Deputy State Coroner on 2 June 2020. Recommendation 6(b) was that legislative amendments should be made to provide that children in care are expected to be adopted within 24 months of entering care.

The bill also proposes some unrelated minor and technical amendments to the Adoption Act that relate to intercountry adoptions specifically between April 2018 and July 2019. I will hand to my colleague Ms Giles to provide you with an overview of the amendments in the bill and then I will talk about some of the operational impacts and changes that will be made as a result of these amendments. Of course, we are happy to assist the committee in any way that we can after that.

Ms Giles: Thank you, Director-General. I also acknowledge the traditional owners of the land on which we meet and pay my respects to elders past, present and emerging. The first amendment to the Child Protection Act is to section 5BA. This section is in the beginning of the act, in division 1 of

part 2 of chapter 1. This is the part of the legislation that includes principles for the administration of the act that guide decision-making and the exercise of powers and functions by the department through the chief executive and also the Childrens Court and the Queensland Civil and Administrative Tribunal. The main principle is that the safety, wellbeing and best interests of a child, both through childhood and for the rest of the child's life, are paramount. That paramount principle is consistent with the United Nations Convention on the Rights of the Child. There are also general principles for ensuring how the paramount principle can be achieved for an individual child. These include things such as: a child has a right to be protected from harm or risk of harm; a child's family has the primary responsibility for the child's upbringing, protection and development; and the preferred way of ensuring a child's safety and wellbeing is through the support of a child's family, amongst other things.

The act also includes additional principles for Aboriginal and Torres Strait Islander children. These include that Aboriginal and Torres Strait Islander people have the right to self-determination and that the long-term effect of a decision on a child's identity and connection with their family and community must be taken into account. These additional principles also explicitly include all five elements of the Aboriginal and Torres Strait Islander Child Placement Principle as individual principles for the administration of the act, including prevention, partnership, placement, participation and connection.

Section 5BA then provides the principles for achieving permanency for a child. The section defines permanency, which is referred to throughout the act, and provides preferences in order of priority for deciding whether an action or order best achieves permanency for a child. Permanency is not just about the type of legal order that a child is subject to. It also includes the child's ongoing relationships with people who are significant to them and their living arrangements, connection to their community and meeting their best needs holistically.

The amendment proposed by the bill is to the preferences for deciding whether an action or order best achieves permanency for a child in section 5BA(4). While adoption is already an option for achieving permanency for a child who requires long-term care, the amendment proposes to insert new paragraph (c) that explicitly provides that, for a child who is not an Aboriginal and Torres Strait Islander child, the third preference is for the child to be adopted. The bill also proposes new paragraph (e) that if the child is an Aboriginal or Torres Strait Islander child the last preference is for the child to be adopted.

It also includes inserting a note in the provision that explicitly references the additional principles for the administration of the act in relation to Aboriginal and Torres Strait Islander children in section 5C and the principles that apply for administering the Adoption Act in sections 6 and 7 of that act that also relate to Aboriginal and Torres Strait Islander children. These include that, because adoption under the Adoption Act is not part of an Aboriginal tradition or island custom, adoption of an Aboriginal or Torres Strait Islander child should be considered as a way of meeting the child's need for long-term stable care only if there is no better available option.

Other parts of the Child Protection Act that focus on achieving permanency that this amendment will impact include: a requirement that a case plan for a child includes the goal for best achieving permanency for the child and how to achieve that goal; and a requirement that if the permanency goal is returning the child to the care of their parent there be an alternative goal in the event that the timely return of the child to their parent is not possible.

Section 62 also places a two-year limit on the duration of consecutive short-term custody or guardianship orders unless it is in the best interests of the child to have a longer duration and the court considers that reunification with the child's family is reasonably achievable within the longer term. There are also other opportunities throughout the act for achieving long-term permanency for a child who needs long-term care. These include a variety of long-term child protection orders, including a long-term child protection order that grants guardianship of the child until they are 18 to the chief executive, a long-term guardianship order that grants guardianship of the child to a member of the child's family or another suitable person until they are 18 and a permanent care order.

I will move to the second amendment in the legislation, which is an amendment to chapter 2, part 3A of the act that relates to case planning. Case planning is a written case plan that talks about the intervention in the child's care and how the goals of that intervention will best be met. Section 51V provides what is a case plan and what should be included in it. That includes the requirement for a permanency goal to be included in a child's case plan.

The second key amendment to the Child Protection Act proposed by the bill is to insert a new section 51VAA into the act. As the director-general has already outlined, this will require the chief executive to review the case plan for a child who is subject to a child protection order that grants long-term guardianship of the child to the chief executive two years after the order is made to consider

whether there is a better way of achieving permanency for the child. This amendment reflects that the needs and circumstances of children may change as they grow and develop, and being cared for under the guardianship of the chief executive will be the fourth priority for achieving permanency under the amended section 5BA(4). If the review identifies a better option, the department would need to then progress a brief of evidence to the Director of Child Protection Litigation for an application to the Childrens Court to commence court proceedings for a different type of child protection order for the child or instigate proceedings for an adoption.

I will briefly turn to the Adoption Act amendments. Clause 5 of the bill amends the Adoption Act to correct a technical issue preventing final adoption orders being applied for by the chief executive for a small number of children who were placed with prospective adoptive parents in Queensland between 30 April 2018 and 1 July 2019 by the Australian Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs. This was the result of machinery of government changes and complexities with an instrument of delegation under the Australian government's Immigration (Guardianship of Children) Act 1946. I will now hand back to the director-general to provide an overview of the operational arrangements to support the legislation.

Ms Mulkerin: We have been working on a range of operational changes inside the department to complement the reforms. These changes are intended to support permanency in the delivery of child safety services and include: a review of the implementation of the 2018 permanency reforms, including our implementation of the Aboriginal and Torres Strait Islander Child Placement Principle; the establishment of a new senior position in the department dedicated to overseeing improved permanency outcomes across the department; auditing the case plans for all children in care currently under the age of three to assess whether there is another legal or placement option that would better meet their permanency needs; targeted work with current foster and kinship carers who have had children in their care for more than two years to assess whether a permanent care order, such as a long-term care order to the carer, would improve stability for the child; and the establishment of quarterly reporting to the minister on the status of permanency planning for children in care, including specifically the number of children on permanent care orders or other long-term orders.

As you might know, an application for the adoption of a child under the Adoption Act is made by the department on behalf of the chief executive. Because the decision for the department to commence proceedings in the Childrens Court for an Aboriginal or Torres Strait Islander child in care is so significant, this decision will only be made by the chief executive. This is not a responsibility that I will delegate to anybody else. This practice change will be implemented operationally and does not require legislative change. In practice, this means that if there is an assessment made that an application for the adoption of an Aboriginal or Torres Strait Islander child who requires long-term care is the best option, all of the information gathered and the assessments made by our child safety officers will need to be reviewed and a final decision made by the chief executive. Of course, if the assessment is endorsed, an application will need to be made to the Childrens Court in the usual way under the Adoption Act.

Implementation of these amendments to the act will involve developing guidance and training materials for our child safety staff, undertaking regional engagement strategies, updating procedures and policies, and developing information for families, carers, our partners and stakeholders. We are happy to answer any of your questions.

Mr LISTER: I thank the representatives of the department for coming. I have a question regarding Aboriginal and Torres Strait Islander children and the references that have been made to the underpinning principles—that is, the United Nations Convention on the Rights of the Child, the Aboriginal and Torres Strait Islander Child Placement Principle and so forth. Given that Indigenous children are subject to special arrangements under this bill, can you assure us that the sum effect of all those considerations still places the safety of the child before all other considerations?

Ms Giles: As I outlined in my speaking points, the paramount principle is the safety, wellbeing and best interests of the child. That is not overridden by anything else in the legislation as it exists today and also by the proposals in the bill. That is the most important thing and it is the paramount thing that any decision-maker exercising powers and functions under the act must take into consideration. That means that decisions are made based on all of the information and evidence before a decision-maker about an individual child and what is determined then to be in their best interests and how best to provide them safety and protection.

Ms Mulkerin: As my colleague has outlined, the paramount principle is about safety. The references to the child placement principle really call out how we would work with Aboriginal and Torres Strait Islander children, families and communities and the extra protections. As Ms Giles has said, these do not override the paramount principle about safety.

CHAIR: The Deputy State Coroner's recommendation suggested that there was virtue in looking at the New South Wales model. How are the adoption laws implemented in New South Wales and what is the practical outcome? Are there any downsides or complications?

Ms Mulkerin: You might be aware that I stepped into the role of director-general at the end of February this year, having come from working in New South Wales for the last seven years. I was actually responsible for implementing the adoption reforms that you are referencing in New South Wales.

The easiest way to explain this is that the relevant act in New South Wales and our act here cover all of the same issues and protections and the work is the same, but the challenge that New South Wales was addressing through the particular reforms is quite different to the position that Queensland is in. In New South Wales, the default order there for children who came into care was to 18 years and to the relevant minister, not the chief executive.

Almost all children in care in New South Wales had an automatic order to 18 years. There was an impact from that on many children in the care of the state. There had been some initial work done when children came into care, but because the legal order took them through to 18 years almost no ongoing work then happened looking at whether they could go home, whether they could be cared for by relatives or whether there was another long-term, secure, stable way in which to secure their care. New South Wales was trying to turn the ship there to bring the focus much more into stark relief about ensuring that early planning happened for children, rather than letting them drift in care with no active work happening—hence, the introduction of some reforms there, one of which was the expectation that, within two years of a child coming into care, active consideration was made about what was the best way to secure their long-term stability, with adoption being one of them.

I note that in New South Wales there are about twice the number of children in out-of-home care as there are here in Queensland. The official numbers are just over 17,000, and then there are some other long-term orders that are not counted in the official count. In this last year, 2019-20, the number of adoptions of children from out-of-home care in New South Wales was 162, up from 142. That is 162 children from out-of-home care being adopted out of around 20,000 children. Our New South Wales colleagues have been on this journey for five or six years, really looking at what is the best way to secure permanency.

In Queensland, on the other hand, we have had short-term orders of up to two years in place for quite some time. Much of the reform effort here has been trying to minimise the number of times that children are placed on multiple short-term orders, because that is no good for their stability. They do not know what will happen—'Am I going to be in care? Am I going home? Who is going to care for me?' Much of the reform effort has been focusing on permanency and stability. We are sort of comparing apples and oranges when we compare New South Wales to Queensland. Both states are focused on safety, security, permanency and stability but both states have come at it from different ends of the work.

Mr ANDREW: I thank the witnesses for coming in today to share some information. I want to go to the historical parts to do with abortion—sorry, I mean adoption but I want to go to abortion as well. When people are looking at having an abortion—I know it is probably a bit outside the committee's scope—is there an adoption list that we give to maintain there is an option for these people to look at to give their kids forward?

CHAIR: Steve, that is outside the scope of the bill.

Mr ANDREW: I want to ask about historical adoptions. How was it all done before and how does it compare with the nitty-gritty of what you are trying to change now?

Ms Mulkerin: I will do my best to answer that question, Chair. As you might know, traditionally adoption has been a process whereby a parent may choose adoption having made a decision that they cannot care for their child. They make the decision about adoption. Of course, over the past 10 or 20 years that has been the decision of very few parents. Today very few parents consent to their child being adopted. Over the past 10 or 20 years most adoptions have been intercountry adoptions, so adoptions from overseas. Again, today there are very few intercountry adoptions either, mostly because the countries that we have traditionally had agreements with for intercountry adoptions have really focused on bolstering their own capacity to care for their own children within their own country. Adoption as it was practised in the 1950s and 1960s is really not what we see at all today and that is right. As you would be aware, there is a lot of very difficult history in relation to adoption, particularly around forced adoptions. Where we are going and the context for adoption today is really to think about it as one of a suite of options that we would consider to secure permanency and stability for a child, particularly for children in out-of-home care.

My experience of New South Wales, for example, is where a carer, a foster carer or a kinship carer might have had care of a child for almost all of their life and, as a family, they make a decision that they want to adopt the child who has been in their care. As you would be aware, adoption changes the legal relationship that a child has with their birth family, including siblings, aunts, uncles and grandparents. Most of the adoptions that we have seen from out-of-home care in New South Wales have really been with those long-term, stable carers who choose to adopt and the children themselves wish to be adopted by their carers.

It is one option in a suite of options, as Ms Giles spelt out. There are a quite a number of long-term legal orders that we already use to secure permanency and stability for children, one of them being a permanent care order, which has some similar features to adoption but only goes to 18 years and does not have some of the other legal ramifications of adoption. Adoption will fit into the suite of orders and options for us to consider about how we secure permanency for children.

Ms McMILLAN: We understand that there is a range of views in the community and amongst the NGOs that work in the child protection field. Can you comment on some of that range of views?

Ms Mulkerin: It is fair to say that anything that has the word 'adoption' in it is a highly polarising debate, and we saw that through the targeted consultation that we did for these amendments. It would be fair to say that the vast majority of our stakeholders, those we work with on a day-to-day basis—funded NGOs, peaks and certainly the partners that we work with in the Aboriginal and Torres Strait Islander sectors—mostly had very strong views against adoption. When we did the targeted consultation we also did some consultation with adoption groups, as you would expect us to. Even within the adoption groups there were split views. The prospective adoptive parents were very much for the amendments that are being proposed. The adult adoptees who had experienced adoption as I described earlier through the 1950s and 1960s have very strong views about the appropriateness of adoption today.

It is also fair to say that, as we worked our way through the intent of the bill and the safeguards and the place that we think adoption has in the suite of options, our stakeholders gave us positive feedback that it has a place. I think the worry is about how it is implemented and what it will actually look like for children, parents, families, carers and communities. That is a very fair question for our stakeholders to ask us. There are very mixed views, in short.

Ms McMILLAN: Is it fair to say that, from the information I have read so far, it would appear that even those who are supportive of adoption, particularly intercountry adoption, are also well aware of the implications of removing prospective children from their culture?

Ms Mulkerin: Yes. It is an area of public policy and social policy that is highly contested. I think it is well understood across the broad range of the sector in the same way, to be fair, as anything in our work is. It is a highly contested area of social policy. It is an area of social policy that is actually not well understood by the general community, either. That is largely because it is complex, it is technical and also because, as you would be aware, we cannot comment publicly about any particular case or any particular circumstance. It would make my job a whole heap easier if we could put information out in the public domain, but it is actually not about that at all. Children have a right to privacy and they have a reasonable expectation, as everybody in the community does, that a public servant does not have the right to go out and talk about their personal lives. We all have the right to privacy and that is really the job that I am tasked with doing.

It is certainly a topic of much discussion about how best to secure permanency and stability. Really, what the evidence talks about is that in order to thrive and to overcome trauma children need stability and permanency. They need to know who is going to love them and care for them. They need access to good education, good therapy and good support. All of that, dealing with trauma, can actually really only happen if they are in a stable, loving, caring and secure family—mostly for children. Our quest is really about making sure that we find the right option for this particular child and their particular circumstances.

Ms McMILLAN: Thank you, Ms Mulkerin. Well answered.

Mrs GERBER: The coroner's inquest into the death of Mason Jett Lee references the Carmody report regarding adoption being routinely and genuinely considered as a suitable permanency option for children in out-of-home care where reunification or unification is unlikely and should be pursued in those cases, particularly for children under the age of three. In light of your comments previously, Ms Mulkerin, in relation to permanency and stability being critical for children in overcoming trauma, can you explain to the committee why the department has not acted earlier on the Carmody report's recommendation to consider adoption as a suitable option?

CHAIR: Laura, that is a policy question. I might allow the department to answer as best they can, but I am conscious of the fact that it is a policy question.

Ms Mulkerin: In short, it is one of the options that is considered for children. It is in the context, as I said, of making a decision about permanency and stability. Post the Carmody review and the reforms, there was an order that was introduced, a permanent care order. It is one of the options that we think about. These reforms explicitly place it in the permanency hierarchy within the act, which is what we understood the Deputy Coroner's recommendation actually called for the government to do.

Mrs GERBER: Can you advise the committee how many adoption requests were rejected by the department in the past five years?

Ms Mulkerin: I would have to take that on notice, Chair.

CHAIR: Are you happy to take that question on notice?

Ms Mulkerin: I am.

Mrs GERBER: Thank you very much.

Mr WHITING: I am well aware of our past practices regarding adoption and the forced adoption of Aboriginal and Torres Strait Islander children in particular. It is something that clearly we need to get right so that we avoid repeating the mistakes of the past. I would be keen to get an outline of the consultation and liaison with Aboriginal and Torres Strait Islander stakeholders. I think that is an important thing that the committee needs to know as we consider this bill.

Ms Mulkerin: We consulted with a broad range of Aboriginal and Torres Strait Islander stakeholders, specifically the Queensland First Children and Families Board, so members of that board such as Mick Gooda and Boni Robertson. We also consulted with a range of our funded providers, so NGO partners. Minister Farmer has a regular stakeholder group that she and I have been convening through COVID. We started it weekly to work with our partners on the impact of COVID. There are a range of many stakeholders across different parts of our sector. Then we held one-on-one conversations with a couple of the key leaders in the sector, including QATSICPP and the Queensland First Children and Families, and a range of other government entities that are also important in this space. If the committee would like, I am happy for us to provide the details of the stakeholders we consulted with.

Mr WHITING: That is fine. I just wanted you to explain exactly how far and wide we consulted with our First Nation stakeholders. I am satisfied with that.

Ms Giles: I will just add that as part of that consultation process we also consulted with legal stakeholders—so we consulted not just with representatives from the child protection sector but also with representatives from the legal sector.

Mr LISTER: Regarding the reference in the explanatory notes that there will be some resource implications for the operationalisation of this, do you foresee any particular changes in terms of accountabilities within the department or around structure, recruitment, retention or those sorts of things to make this work?

Ms Mulkerin: As I indicated in my opening remarks, there are a range of operational impacts as we roll out these reforms. There will be changes to some of our policy and practice and our training and support for our frontline child safety officers. There will also be impacts in relation to information that we provide to carers, kinship carers and our funded partners. At this point, I do not foresee any issues in relation to, for example, recruitment of staff or a need to change any of that. As I referenced, we are creating a new area within the department to focus specifically on practice, including these permanency reforms, really to elevate the importance of it and to give it the appropriate focus. Currently, from what I know about the work that we will be doing in this space, I do not see any impacts that we are not able to manage within our current resources, if that is the issue that you were worried about?

Mr LISTER: That answers it for me.

CHAIR: Why is adoption treated differently for Aboriginal and Torres Strait Islander children as compared to other children?

Ms Giles: As I referred to earlier, the note that is proposed to be inserted in the legislation through the bill in section 5BA refers back to sections 6 and 7 of the Adoption Act. Those provisions talking about adoption, as we conceptualise it in the Adoption Act, are not recognised as part of Aboriginal culture and custom. There are other mechanisms for caring for children within Aboriginal and Torres Strait Islander culture and custom, particularly through kinship groups and community.

The concept as it is provided for in the Adoption Act and regulated under that piece of legislation is not a concept that is embedded within Indigenous traditional culture and practice. For those reasons, there are other mechanisms that may be preferred for meeting the best interests of an Aboriginal and Torres Strait Islander child who needs long-term care that mean they stay connected to their community, culture, kin and family.

If it is of assistance, in terms of the question that was taken on notice about the Carmody report recommendations, I can add that the Queensland Child Protection Commission of Inquiry made 141 recommendations. Not all of those were for the department to implement. The majority of them were. The implementation of those recommendations has been part of the government's Supporting Families Changing Futures reform agenda, which is a 10-year reform agenda. The majority of the recommendations are well underway or have already been implemented. I think the question was about how many of those recommendations have been specifically rejected by the department. I cannot think of any that have been rejected.

Mrs GERBER: Sorry—

CHAIR: Laura, I will give you a chance. Let Ms Giles finish please.

Ms Giles: I was trying to also clarify what the question might have been. Many of them are underway in terms of being implemented and there are some that are still in progress to be implemented. I am happy to also have a go if that was not what the question was.

CHAIR: Laura, my understanding—

Mrs GERBER: Mr Chair, I am happy to clarify the question.

CHAIR: Let me finish, Laura. My understanding was that the question was: how many applications for adoption have been rejected? Was that the question?

Mrs GERBER: Mr Chair, the question was: how many adoption requests were rejected by the department in the last five years?

Ms Giles: I am sorry; I thought the question was about the recommendations.

CHAIR: That is okay.

Ms Giles: We will have to take that question on notice.

CHAIR: That question is still to be taken on notice, Laura.

Ms McMILLAN: Ms Mulkerin, you talked earlier about the complexity of many of the issues and the context that you as the department work in in relation to child safety. You talked about the fact that many do not actually understand that complexity. Could you share with us a little about in what circumstances a short-term placement might be preferable to a long-term placement and then where there might be preference for a long-term placement versus adoption? Could you talk the committee through that as a means of educating the committee?

Ms Mulkerin: Of course, I would be happy to. The committee might be aware that, in terms of much of the work that we do with families, what we call the toxic trio is at play—family violence, drug and alcohol abuse and mental health issues. Most families that we see have all of those at play and some are more prevalent than others.

I will address your question about when it might be appropriate for there to be a short-term order. Often one of the factors that we see is family violence, for example—so parents with some children and domestic and family violence is present. For the mum, her ability to parent the children is compromised because of the violent relationship. She may well be just surviving, and a whole range of things to do with the appropriate care of her children might be compromised not because of her capacity or her innate abilities but because of the circumstance in which she finds herself.

Sometimes we work with women who wish to leave violent relationships. We help them leave and move to another house with the children. We might wrap support around her to overcome her trauma and support her with her children. We may have made the decision that those children were not safe at home, but then after doing work with mum she leaves the violent relationship, she has other support, she reconnects with her family and then really it was a circumstance around that particular relationship. That is not an uncommon circumstance. Then it would be entirely appropriate that it be a short-term order. When mum's circumstance changes, she has the ability to get back on her feet and she is receiving support, we then make an assessment that her children are totally safe with her.

This is in contrast to long-term care orders, which can be either to the chief executive or to another—a carer or kin or somebody else. These are more likely to be children who have been in our care for some time, we have done work with their families and then an assessment is made that the

children are not safe back with their family. Then we turn our mind to what is the appropriate long-term legal order to secure their safety and the appropriate long-term placement for them. Then we would seek a long-term order.

It may be that it is a long-term order to the chief executive because there are complications with extended family and safety, for example. It might be that we seek a long-term order to another if the foster carer, for example, has been caring for the child and they want to take on the long-term guardianship role. The long-term orders are really once we have reached a point where we have done some work, worked often with the family and made a decision that the children are not going to be safely returned home. Then we turn our mind to what is the right long-term order.

Today there are about 10,000 children on child protection orders in this state. About 62 per cent of them are already on long-term orders. We have already done a lot of that pre work and turned our mind to that. Those children are not being reunited and then we think about what is in their long-term best interests.

Ms McMILLAN: I guess it highlights the point in time context and the appropriate strategies going forward.

Mrs GERBER: I refer to the Child Safety website under 'Our performance'. I can see that that has not been updated since about September 2019. Can you inform the committee how the department will ensure it follows the coroner's recommendation to report on the number of children adopted every six months for the next five years?

Ms Mulkerin: The Deputy State Coroner made a specific recommendation, which is what you are referring to, asking the department to report to the Coroners Court about the number of adoptions. That is what we will be doing. We will be reporting to that jurisdiction as the government has accepted all of the recommendations out of the Deputy State Coroner's report.

Mrs GERBER: That does not quite answer the aspect that I wanted to understand. Does the department intend to publish the information?

CHAIR: I think the question was answered. They said they will, in accordance with the recommendations.

Ms McMILLAN: Mr Chair, do you mind if I say something?

CHAIR: This will be the last question.

Ms McMILLAN: It is not really a question; it is just a comment. On behalf of the Palaszczuk government, I wanted to express my extreme appreciation for the complex work you do and for the work you do for our Queensland children.

Ms Mulkerin: Thank you.

CHAIR: That concludes this briefing. Thank you very much to the representatives from the Department of Child Safety, Youth and Women for assisting the committee today. Thank you to the secretariat staff and also to Hansard. A transcript of these proceedings and an archived broadcast will be available on the committee's parliamentary webpage in due course. There was one question taken on notice. Could a response be provided to the secretariat by close of business on Friday?

Ms Mulkerin: Of course.

CHAIR: I declare this public briefing for the committee's inquiry into the Child Protection and Other Legislation Amendment Bill 2020 closed.

The committee adjourned at 12.01 pm.